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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/535,559	03/27/2000	Rabindranath Dutta	AUS000060US1	3609

7590 04/15/2004

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EXAMINER

RUDY, ANDREW J

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 04/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/535,559

Applicant(s)

DUTTA, RABINDRANATH

Examiner

Andrew Joseph Rudy

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5,7,12-14,19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5,7,12-14,19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant cancelled claims 1-4, 6, 8-10 and 15-18. Claims 5, 7, 11-14, 19 and 20 are pending. Pursuant to Applicant's REMARKS received December 22, 2003 the Final Rejection dated May 8, 2003 is withdrawn.

Claim Rejections - 35 USC § 103

2. Claims 5, 7, 11-14, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rizzo et al., US 6,470,330 and Official Notice.

Rizzo discloses an electronic database for electronic documents generated during electronic commerce transactions, comprising means, e.g. e-mail, for automatically receiving a dynamically generated document, e.g. 240, 340, means for storing, e.g. col. 3, line 45-51, means for generating a document identifier, e.g. 220, means for transmitting, e.g. e-mail, and a server, e.g. col. 4, lines 57-63, claims 14, 21. Rizzo does not specifically disclose a depository or write once read many (WORM) formatting. Official Notice is taken that WORM formatting was common knowledge within the electronic document art long before Applicant's filing date.

The term depository is not deemed to define over the database disclosed by Rizzo. However, to have provided a depository for Rizzo having WORM formatting would have been obvious to one of ordinary skill in the art. The motivation for doing such would have been to provide a central location database used to retrieve the specific information each party to the transaction would desire in order to make an informed choice without having alterations made to the document.

Upon further review, it is further noted that Applicant's claim language reads upon the common knowledge electronic transaction purchasing of a product over the Internet. A consumer purchases a product and is given an identifier associated with the purchase order so both the consumer and vendor may later access the purchase order. Using WORM formatting to accomplish this objective was known at the filing date of Applicant's invention. To have provided a depository would have been obvious to one of ordinary skill in the art. The motivation for doing such would have been to provide a central location database used to retrieve the specific information each party to the transaction would desire in order to make an informed choice without having alterations made to the document.

3. From the attached PTO-892, further pertinent references of interest:

Durst, US 5,022,080, discloses WORM formatting in an electronic document.

Eldridge et al., US 6,515,988, discloses a repository used with an electronic document.

Smith et al., US 6,651,166, discloses dynamically generated URL used with an electronic document.

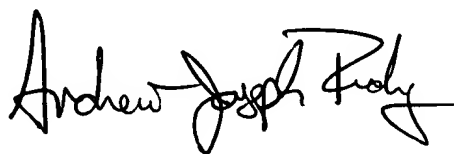
5. Applicant's Information Disclosure Statement (IDS) submitted to the USPTO on June 16, 2000 was recently received in Group 3600 and attached with the Application file wrapper. The Examiner assumes it was inadvertently separated from the Application. Nonetheless, the documents from the IDS have now been reviewed. Note the attached PTO-1449.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Joseph Rudy whose telephone number is 703-308-7808. The examiner can normally be reached on Tuesday thru Friday, 7:30 a.m until 6 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Andrew Joseph Rudy". The signature is written in a cursive, flowing style with a large initial "A".